

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SANDRA L. MCELGUNN,

Plaintiff,

v.

Case No. 04-74471-DT
Hon. Bernard A. Friedman

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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MEMORANDUM OPINION AND ORDER

This matter is before the Court on Magistrate Judge Steven D. Pepe's Report and Recommendation dated October 31, 2005. No objections were filed.

This Court has had an opportunity to fully review this matter and believes that the Magistrate Judge has reached the correct conclusions for the proper reasons.

ACCORDINGLY:

IT IS HEREBY ORDERED that Magistrate Judge Steven D. Pepe's Report and Recommendation dated October 31, 2005, is hereby accepted and adopted.

IT IS FURTHER ORDERED that plaintiff's motion for summary judgment be granted.

IT IS FURTHER ORDERED that the defendant's motion for summary judgment be denied.

January 10, 2006
Detroit, Michigan

s/Bernard A. Friedman
BERNARD A. FRIEDMAN
CHIEF JUDGE

**I hereby certify that a copy of the foregoing document
was served this date upon counsel of record
electronically and/or via first-class mail.**

/s/ Patricia Foster Hommel
Patricia Foster Hommel
Secretary to Chief Judge Friedman